

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 2, 4 and 6-9 are pending in the application, with claim 1 being the independent claim. Claims 3 and 5 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 2, 4 and 6-9 have been amended to more clearly point out and distinctly claim the subject matter of the present invention.

The specification and claims 2-9 have been objected to for various informalities. Claims 1-9 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated U.S. Patent No. 5,197,819 to Hughes (hereinafter "Hughes"). The Examiner has indicated the allowability of claims 5-9 if amended to include the limitations of the base claim.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the examiner reconsider all outstanding objections and rejections and they be withdrawn.

I. The Objection to the Specification Should be Withdrawn

The Examiner objected to the specification for an informality. Upon entry of the above Amendment, the specification has been amended as suggested by the Examiner. Therefore, Applicants respectfully request that the Examiner withdraw the objection to the specification.

II. The Objection to Claims 2-9 Should be Withdrawn

The Examiner objected to claims 2-9 for informalities. Upon entry of the above Amendment, claims 2, 4 and 6-9 have been amended as suggested by the Examiner. Therefore, Applicants respectfully request that the Examiner withdraw the objection to the claims.

III. Claims 1, 2, 4 and 6-9 Are Definite

Claims 1-9 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, the Examiner stated that there is insufficient antecedent basis for “the sports pole” and that the meaning of the term “in-ground sleeve” is unclear.

Accordingly, Applicants have amended the claims to recite “a sports pole” and “a ground sleeve, said ground sleeve configured to be mounted in the ground”. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-9 under 35 U.S.C. § 112, second paragraph.

IV. The Rejection Under 35 U.S.C. §§ 102(b) Should be Withdrawn and the Application Should be Allowed

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hughes.

The Examiner has indicated that claim 5 includes allowable subject matter. In order to expedite prosecution, claim 5 has been cancelled and claim 1 has been amended to include the allowable subject matter of claim 5. Therefore, claim 1 is now allowable and, by virtue of their dependency on claim 1, claims 2, 4 and 6-9 are also allowable for at least these reasons.

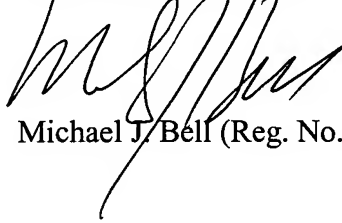
Therefore, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §§ 102(b) and issue a Notice of Allowability for claims 1, 2, 4 and 6-9.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Bell', is written over the typed name.

Michael J. Bell (Reg. No. 39,604)

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HOWREY LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
(703) 663-3600